

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

REC'D JUN 5 2017

LETA FAYE DOUGLAS,

CASE NO:
15-03024-01-CR-S-MDH
17-03107-CV-S-MDH-P

-vs-

UNITED STATES OF AMERICA.

MOVANT'S RESPONSE TO GOVERNMENT, PURSUANT TO § 2255.

The movant, Leta Faye Douglas, objects to the government's response in part. Ms. Douglas agrees that a hearing needs to take place to establish the record on counsel's ineffectiveness for failing to file a direct appeal as directed. However, Douglas believes that an evidentiary hearing needs to take place on all grounds, because the record isn't clear on how defense counsel presented the consequences of the guilty plea, and how it was communicated. Nor does the record indicate how defense counsel explained the sentencing guidelines and how criminal procedure would work, after the Rule 11 hearing.

Likewise, any form of coercion, is coercion. It is unreasonable to believe that defense counsel WOULD NOT USE, the movants father's death to coerce her into a plea agreement. Particularly, if the defense counsel wishes nothing more, than to have his client plead guilty.

The government's sole argument on ground one and two, is the reliance on the Rule 11 hearing. Yet the government fails to address her concerns and counsel's ineffective nature in its response. Likewise, counsel's attestation does not reflect what is raised in § 2255. Therefore, to make the record clear an evidentiary hearing should be held on what counsel said to Douglas regarding the guilty plea, and his failure to address mitigating circumstances.

THEREFORE, THE MOVANT LETA FAYE DOUGLAS respectfully requests this Honorable Court to HOLD AN EVIDENTIARY HEARING, on all grounds raised in § 2255.

Respectfully Submitted,

Leta Faye Douglas

LETA FAYE DOUGLAS # 27489-045
FCI- Tallahassee
501 Capital Circle NE
Tallahassee, FL 32301

CERTIFICATE OF SERVICE

I, Leta Faye Douglas, have placed a true and correct copy of this motion titled 'Movant's Response to Government Pursuant to §2255' in the prison mail system on 1st day of June 2017, to the below referenced addresses.

United States Courthouse
222 N. John Hammons Prkw # 1400
Springfield MO 65806-2512

United States Attorney
901 St. Louis Street # 500
Springfield, MO 65806

Leta Faye Douglas

Leta Faye Douglas # 27489-045

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